NORTH CAROLINA ONSLOW BIGHT CONSERVATION FORUM

MEMORANDUM OF UNDERSTANDING AMONG:

NORTH CAROLINA CHAPTER OF THE NATURE CONSERVANCY NORTH CAROLINA WILDLIFE RESOURCES COMMISSION NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

U.S. MARINE CORPS BASE CAMP LEJEUNE
U.S. FISH AND WILDLIFE SERVICE
U.S. MARINE CORPS AIR STATION CHERRY POINT
U.S.D.A. FOREST SERVICE
ENDANGERED SPECIES COALITION
NORTH CAROLINA COASTAL FEDERATION
NORTH CAROLINA COASTAL LAND TRUST
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
NATURAL RESOURCES CONSERVATION SERVICE
DUCKS UNLIMITED

BACKGROUND

The Onslow Bight Landscape area of eastern North Carolina bounded approximately on the north by Cape Lookout and to the south by Cape Fear, (see Appendix A) contains a unique landform of saltwater marshes, riverine wetlands, pocosins, longleaf pine savannahs and other coastal ecosystems. The site supports nationally significant occurrences of animal and plant communities. The rural character of the area, coupled with the flora and fauna and supporting geophysical landform have created a natural environment with abundant opportunities to enjoy fishing, hunting, camping, hiking, canoeing, and other resource based outdoor recreational opportunities. Many residents, permanent and seasonal, have chosen the area because of the many amenities afforded by the natural environment.

However, rapid population growth is fueling urbanization, changing the area's rural character, and threatening its natural resources. Thus, the impetus for the MOU.

STATEMENT OF MUTUAL BENEFIT AND INTEREST

The participating organizations represent a broad spectrum of land managers and land conservation advocates with differing missions. Some are custodians of large areas of public land held primarily for resource conservation and utilization or national security. Some modify the resource base by their own construction activities, and some are conservation advocates with little or no land base of their own. All are dedicated to sustainable natural resource management, providing for human needs while retaining our natural heritage. Towards this end, the participating organizations will attempt to foresee potential resource conflicts and conservation opportunities and, within their authority and consonant with their missions, work to maintain and protect ecologically viable areas.

PURPOSE

This Memorandum of Understanding (MOU) is entered into for the purpose of enhancing cooperation and communication regarding regional conservation issues within the Onslow Bight landscape by establishing the North Carolina Onslow Bight Conservation Forum (NCOBCF). The mission of the NCOBCF is:

To provide for open discussion among the participants concerning the long-term conservation and enhancement of biological diversity and ecosystem sustainability throughout the Onslow Bight Landscape compatible with the land use, conservation and management objectives of the participating organizations and agencies.

The participating organizations and agencies recognize the following goals of the NCOBCF:

- to promote the conservation, restoration, health and sustainable use of the landscape and the native terrestrial and aquatic communities that depend, in whole or in part, on the lands and waters of the Onslow Bight area;
- 2) to encourage public/private partnerships among participating governmental agencies, community and non-governmental organizations, academic institutions, corporations, and private landowners to leverage resources and achieve land conservation results on a large landscape scale;
- to enhance coordination among participants concerning current and future initiatives such that participants will be able to take better advantage of the work already being done by others, as well as identify opportunities for working together to undertake more ambitious projects than any single agency's resources would otherwise permit;
- to encourage an on-going regional dialogue among participants about sustainable land management and native biodiversity;
- to promote the establishment of landscape corridors and buffers, between and adjacent to existing public and private conservation lands to enhance long-term wildlife population viability and genetic exchange and to ensure land management flexibility, respectively;
- to promote the education of interested private individual and corporate landowners and local government agencies on conservation land management through demonstrations, workshops and field trips; and
- 7) to promote the sustainability of the military mission in the Onslow Bight
 Landscape by preserving land uses suitable to military training on existing
 military lands, and promoting land uses compatible with military training on those
 lands that surround existing military lands.

To achieve these goals, the NCOBCF will provide a communicative forum to identify opportunities for collaborative action among the participants. Although it is not the intent to provide NCOBCF with the authority to carry out any specific project in furtherance of its stated objective and goals participants, will, to the extent authorized under a participant's regulatory and statutory authority, applicable regulations, and in consonance with the participant's primary mission:

- promote a vigorous and broadly inclusive public discourse on the precepts underlying sustainable land use;
- assess opportunities and work cooperatively to enhance, protect, conserve, and restore the sensitive and unique flora and fauna of the Onslow Bight area by identifying priority conservation lands and pursuing conservation options;

- encourage projects that focus on protecting, conserving, and restoring the integrity of the landscape and waters and their natural communities;
- serve as an educational resource to private landowners, institutions and organizations, and the general public on land conservation and management tools and opportunities;
- facilitate collaborative efforts and joint land management activities among members to achieve common conservation objectives across jurisdictional and ownership boundaries; and
- recognize and promote the vital role science must play in responsible sustainable land use.

LIABILITY

The participants hereto agree that they shall each be responsible for their own individual, direct liabilities and not for any other stakeholder actions, omissions or liabilities, unless otherwise provided by law and the specific consent of a member.

AMENDMENTS AND REVIEW

This MOU is subject to revision and can be amended, extended, or modified by the mutual written consent, signed and dated, by all of the participating organizations, prior to any changes being performed.

New participating organizations may be added to the MOU by consensus, written or otherwise, of the current participants.

OTHER PROVISIONS

Nothing herein is intended to or has the effect of extending any legal authority or responsibilities of any of the members herein nor is any provision herein intended or has the effect of modifying, restricting, enhancing or changing the legal authorities, obligations, restrictions, liabilities or requirements of any of its members. This MOU is intended only to provide the basis for a voluntary cooperative relationship among the signatories and is not intended to, nor does it create any right, entitlement, or benefit, substantive or procedural, or trust responsibility, enforceable at law or equity, by any individual, organization, private or governmental third party, participant party or any member thereof against any party to this agreement or the United States, its agencies, its officers, or any person. This MOU shall not be construed to create any right to judicial review involving the compliance or noncompliance with the terms of this MOU by any signatory or the

United States, its agencies, its officers, or any other person. To the extent that any provision of this MOU conflicts with current directives, or applicable regulations or laws of any of the parties of this agreement, the provisions of this MOU will have no effect.

Any information furnished to the Forest Service under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).

The forum in no way substitutes for the decision-making process that each participating agency is required to follow by regulation, directive, or law. The forum helps to facilitate discussion among the participants, without making decisions for those agencies. The forum is not considered a "nonfederal entity" for purposes of the Joint Ethics Regulations as its stated purpose is merely to provide a venue for communication among participants sharing similar interests; is not self-sustaining as it has no internal budgetary provisions or authority; has no decision-making authority or legal status; and cannot bind the action of any agency or organization.

Should disagreement arise about the interpretation of the provisions of this MOU, or amendments or revisions thereto, that cannot be resolved to the mutual satisfaction of all the members to this MOU, those provisions shall have no effect.

Principal points of contact for each agency are listed on the attached addendum and shall be updated periodically as appropriate.

TERMS OF THE MOU

The terms of this MOU shall become effective upon the last date of signature of all approving officials of the respective participating organizations entering into this agreement. This agreement shall remain in effect until terminated by (1) mutual written agreement, (2) written notice by any party at least thirty (30) days in advance, or (3) completion of this agreement.

NON-FUND OBLIGATING DOCUMENT

This MOU is not a procurement instrument and does not commit any party to fund, obligate funds, request appropriations or commit a member's resources in support of the NCOBF. Any funding activities associated with the NCOBF shall be subject to availability of funding and carried out in accordance with applicable authorities and legal requirements, including those for government procurement and printing, of the participating organizations. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. Specifically this instrument does not establish authority for noncompetitive award to the cooperator of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

SIGNATORY FOR THE NORTH CAROLINA CHAPTER OF THE NATURE CONSERVANCY:

Katherine Skinner Executive Director

North Carolina Chapter of The Nature Conservancy 3-25-03

Date

The mission of the North Carolina Chapter of The Nature Conservancy is to preserve the plants, animals and plant communities that represent the diversity of North Carolina by protecting the land and water they need to survive.

SIGNATORY FOR THE NORTH CAROLINA WILDLIFE RESOURCES COMMISSION:

Charles K Fullwood

3.18.03

Charles R. Fullwood Jr.
Director
North Carolina Wildlife Resources Commission

Date

The mission of the North Carolina Wildlife Resources Commission is to manage, restore, develop, cultivate, conserve, protect and regulate North Carolina's wildlife resources.

SIGNATORY FOR THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES:

2 May 200-

William G. Ross Jr Secretary North Carolina Department of Environment and Natural Resources Date

The mission statement of the North Carolina Department of Environment and Natural Resources is: "Together, with innovation, teamwork and partnerships, making progress toward: a cleaner environment, healthier lives, a stronger economy, more effective conservation of our land and water, and greater understanding and respect for the resources of nature."

SIGNATORY FOR MARINE CORPS BASE CAMP LEJEUNE:

DMM
Major General D. M. Mize
Commanding General
Marine Corps Base Camp Leieune

2 5 MAR 2003

Date

The mission of Marine Corps Base Camp Lejeune is to maintain combat-ready units for deployment with the II Marine Expeditionary Force. Camp Lejeune is home to the largest single concentration of Marines in the world. Camp Lejeune supports the world's most complete amphibious training program and is the east coast's "Home of Marine Expeditionary Forces in Readiness."

SIGNATORY FOR THE U.S.FISH AND WILDLIFE SERVICE, RALEIGH ECOLOGICAL SERVICES UNIT:

Horfand B. Hudue

4-16-03

Garland Pardue Field Supervisor, Raleigh Ecological Services Field Office U.S. Fish and Wildlife Service Date

Themission of the **U.S. Fish and Wildlife Service** is, working with others, to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. Central to this mission, the Fish and Wildlife Service, along with state natural resource agencies, private lands partners, and other stakeholders, is dedicated to providing and protecting a healthy environment for fish and wildlife and people. In the North Carolina Onslow Bight Landscape, the Service's priority is to implement the principles of ecosystem management to promote the recovery of the red-cockaded woodpecker, and other endangered, threatened and federal species of concern.

SIGNATORY FOR MARINE CORPS AIR STATION CHERRY POINT:

Managen

11 april 03

Major General Robert Flanagan Commanding General Marine Corps Air Station Cherry Point

Date

The primary mission of Marine Corps Air Station Cherry Point is to maintain and operate facilities and provide services to support the operations of the 2nd Marine Aircraft Wing. The MCAS Cherry Point Complex is comprised of widely dispersed properties in eastern North Carolina. In addition to MCAS Cherry Point, other major facilities include Marine Corps Auxiliary Landing Field (MCALF) Bogue, Marine Corps Outlying Field (MCOLF) Atlantic, and the Piney Island Bombing Range (BT-11) in Carteret County, and Marine Corps Outlying Field (MCOLF) Oak Grove in Jones County.

SIGNATORY FOR THE U.S.D.A. FOREST SERVICE, REGION 8:

Jem Cames

Date

John F. Ramey Forest Supervisor National Forest in North Carolina U.S.D.A. Forest Service

The mission of the **U.S.D.A.** Forest Service, Region 8 is caring for the land and serving people. As set forth in law, the mission is to achieve quality land management under the sustainable multiple-use management concept to meet the diverse needs of people. To accomplish this the Forest Service protects and manages the natural resources on National Forest System lands in the southeastern U.S. and Puerto Rico; conducts research on the utilization of forest resources, and all aspects of managing forests and rangelands; and provides assistance to communities, state and local governments, forest industries and private landowners in protecting and managing non-Federal forests. Partnerships are key to achieving shared goals both locally, nationally, and internationally.

SIGNATORY FOR THE ENDANGERED SPECIES COALITION:

Empl Euxus

May 16, 2003

Brock Evans
Executive Director
Endangered Species Coalition

Date

The **Endangered Species Coalition** exists not only to defend and protect the ESA, but also to ensure that its vision becomes a reality. We are the only organization that devotes all of its time, every day, to endangered species and related biodiversity issues across the United States. We defend it from attacks periodically mounted against it by development interests; we seek to strengthen it by incorporating better scientific knowledge; we are committed to ensure that the implementation of the law results in real protection for, and recovery of, all at-risk species now a part of our country's rich biological heritage.

Our tools are public education, scientific information and public participation in all decisions affecting the fate of threatened and endangered species. Through extensive grassroots work, education, collaboration, discussions with lawmakers and the dissemination of information, we hope to ensure that the Act itself, as well as the species it protects, can be passed on safely into the future.

SIGNATORY FOR THE NORTH CAROLINA COASTAL FEDERATION:

Poll Mili

5/1/03

Todd Miller
Executive Director
North Carolina Coastal Federation

Date

The North Carolina Coastal Federation is the largest nonprofit environmental group in North Carolina that is focused entirely on the protection and restoration of coastal resources. Founded in 1982, the federation has 7,800 members and a staff of 13 based in Carteret, Dare and New Hanover counties. NCCF advocates for effective coastal management laws and regulations, monitors implementation and enforcement of existing programs, restores and protects sensitive lands important to coastal water quality and fisheries habitat, and conducts extensive environmental education outreach programs.

SIGNATORY FOR THE NORTH CAROLINA COASTAL LAND TRUST:

Camilla M. Herlevich Executive Director

North Carolina Coastal Land Trust

3/11/2003 Date

North Carolina Coastal Land Trust's mission is "to enrich the coastal communities of our state through acquisition of open spaces and natural areas, conservation education, and the promotion of good land stewardship."

SIGNATORY FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION:

Lyndo Tippett
Secretary of Transportation

Secretary of Transportation

North Carolina Department of Transportation

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Date

The mission of the North Carolina Department of Transportation is to provide an integrated transportation system that enhances the state's well being. Our goal is to provide a safe and well-maintained transportation system that meets the needs of our customers and supports the development of sustainable, vibrant communities. In so doing, we are committed to planning, designing, constructing, maintaining and managing an interconnected transportation system while striving to preserve and enhance our natural and cultural resources. Environmental stewardship encompasses these responsibilities and is reflected in our day-to-day operations by:

Safeguarding the public's health by conducting our business in an environmentally responsible manner

Demonstrating our care for and commitment to the environment

Recognizing that our customers expect us to provide mobility and a quality of life that includes the protection of the natural resources and the cultural and social values of their community.

Each employee is responsible for incorporating these principles of safety, environmental stewardship and customer focus into their daily activities.

SIGNATORY FOR THE NATURAL RESOURCES CONSERVATION SERVICE:

Mary K Combs

3/20/03

Mary K. Combs North Carolina State Conservationist Natural Resources Conservation Service Date

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

SIGNATORY FOR DUCKS UNLIMITED, INC.:

W. Alan Wentz

JAN 2 6 2006

Date

W. Alan Wentz Senior Group Manager Ducks Unlimited, Inc.

Ducks Unlimited conserves, restores, and manages wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people.

Addendum To North Carolina Onslow Bight Conservation Forum MOU

PRINCIPAL CONTACTS

The principal contacts for this instrument are:

TNC – Fred Annand or Hervey McIver Mailing Address: Nature Conservancy One University Place	PHONE: 919-403-8558 4705 University Drive Suite 290	FAX: 919-403-0379 Durham, NC 27707
NCDENR-NHP – Scott Pohlman	PHONE: 919-715-8696	FAX: 919-715-3085
Mailing Address:	1601 Mail Service Center	Raleigh, NC 24699
NCDENR-DCM – Mike Christenbury Mailing Address:	PHONE: 252-808-2808 151-B Hwy 24, Heston Plaza II	FAX: 252-247-3330 Morehead City, NC 28557
NCWRC – Tommy Hughes	PHONE: 252-514-4738	FAX: N/A
Mailing Address:	961 Perrytown Road	New Bern, NC 28562
MCB, Camp Lejeune – John Townson Mailing Address:	PHONE: 910-451-9384 PSC BOC 20004	FAX: 910-451-1787 Camp Lejeune, NC 28542
USFWS – Peter Benjamin	PHONE: 919-856-4520	FAX: 919-856-4556
Mailing Address:	P.O. Box 33726	Raleigh, NC 27636-3726
MCAS, Cherry Point – Bill Rogers	PHONE: 252-466-5870	FAX: 252-466-2000
Mailing Address:	PSC BOX 8006 MCAS	Cherry Point, NC 25883
USFS – Lauren Hillman	PHONE: (252) 638-5628	FAX: 252-637-9113
Mailing Address: National Forests in NC	P.O. BOX 2750	Ashville, NC 28801
ECS – Liz Godfrey	PHONE: 505-438-4245	FAX:
Mailing Address:	P.O. Box 65195	Washington, D.C. 22035
NC Coastal Federation – Todd Miller Mailing Address:	PHONE: 252-393-8185 P.O. BOX HWY 24	FAX: 252-393-7508 Newport, NC 28570
NC Coastal Land Trust – Janice Allen Mailing Address:	PHONE: 252-634-1927 P.O. BOX 15451	FAX: 252-514-0051 New Bern, NC 28561
NCDOT – Leilani Paugh	PHONE: 919-715-1457	FAX: 919-715-1501
Mailing Address:	1568 Mail Service Road	Raleigh, NC 27611

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DU - Craig LeSchack

PHONE: 843-745-9110

FAX:

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Charleston, SC 29405